



13281 U.S. PTO
121503

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FILE NO: 64118.000045

31353 U.S. PTO
10/734161



December 15, 2003

UTILITY PATENT APPLICATION TRANSMITTAL

Attorney Docket Number: **64118.000045**

First Named Inventor: **Kevin Thomas FOLEY**

Title: **METHODS FOR PERCUTANEOUS SURGERY**

Customer No. **21967**

TO: **MAIL STOP PATENT APPLICATION**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Attached are the following for filing with the U.S. Patent and Trademark Office:

1. ☒ Fee Transmittal Form (original and duplicate)
2. ☐ Small Entity Status Claimed:

☐ Independent Inventor
☐ Small Business Concern
☐ Non-Profit Organization

☐ Statement Enclosed
☐ Statement Filed in Prior Application; Status Still Proper and Desired
3. ☒ Specification - Total Pages: 55 (Including Claims and Abstract)

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CLAIMS AS FILED						
	Claims Filed	Basic Fee Claims	Extra	Rate		Amount
				Large Entity	Small Entity	
Total Claims	8	20	0	\$ 18.00	\$ 9.00	\$ 0.00
Independent Claims	3	3	0	\$ 86.00	\$ 43.00	\$ 0.00
First Presentation of Multiple Dependent Claims				\$ 290.00	\$ 145.00	\$ 0.00
BASIC FEE				\$ 770.00	\$ 385.00	\$ 770.00
TOTAL FILING FEE						\$ 770.00
Assignment Recordation Fee						\$ 0.00
TOTAL AMOUNT						\$ 770.00

4. ☒ Drawings - Total Sheets: 29 (Fig(s). 1-50)
5. Oath or Declaration - Total Pages: _____
- a. ☐ Newly executed (original or copy)
☐ New (unexecuted)
- b. ☐ Copy from a prior application
(for continuation/divisional with Box 18 completed)
- i. ☐ DELETION OF INVENTOR(s):
Signed statement attached deleting inventor(s) named in prior application.
6. ☐ Application Data Sheet
7. ☐ CD-ROM or CD-R in duplicate, large table or Microfiche Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission (if applicable, all necessary)
- a. ☐ Computer Readable Form (CRF)
- b. ☐ Specification Sequence Listing on:
- i. ☐ CD-ROM or CD-R (two copies); or

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- ii. ☐ Paper Copy (identical to computer copy)
- c. ☐ Statements verifying identity of above copies
9. ☐ Assignee/Applicant: _____

- ☐ Assignment and Assignment Recordation Form Submitted Herewith
- ☐ Assignee of Record in Prior Application No. _____ :

_____ recorded on _____ at Reel _____, Frame _____.
10. ☐ 37 C.F.R. 3.73(b) Statement ☐ Power of Attorney
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement with PTO-1449 and References
- ☐ Copies of Information Disclosure Statement Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard
15. ☒ Priority is Claimed as Follows:
CIP of U.S. Patent Application No. 10/359,996 filed February 6, 2003 and
U.S. Patent Application No. 09/815,693 filed March 23, 2001

- ☐ Claim Benefit of the Following U.S. Provisional Application No(s).: _____

- ☐ If Foreign Priority is Claimed, Certified Copy of the Above Priority Document(s) is Submitted Herewith
16. ☐ Nonpublication Request under 35 U.S.C. § 122(b)(2)(B)(i). Applicant must attach Form PTO/SB/35 or its equivalent.
17. ☐ Other: _____

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18. ☒ Continuation ☐ Divisional ☒ Continuation-in-Part of
Prior Application No.: 10/359,996 filed February 6, 2003 and
Prior Application No.: 09/815,693 filed March 23, 2001.

Prior application information: Examiner _____ Group Art Unit _____

- ☐ Incorporation By Reference (useable if Box 5b is marked)
The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 5b, is considered as being part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application papers.

- ☐ Complete Application Based on Provisional Application No.: _____
filed _____

19. Please address all correspondence to:

- ☒ **CUSTOMER NUMBER 21967**

Tyler Maddry
Intellectual Property Department
Hunton & Williams LLP
1900 K Street, N.W.
Suite 1200
Washington, DC 20006-1109

20. ☐ A new power of attorney or authorization of agent (PTO/SB/81) is as follows:
- ☐ The power of attorney is to: Stanislaus Aksman, Reg. No. 28,562; Jennifer A. Albert, Reg. No. 32,012; Thomas E. Anderson, Reg. No. 37,063; David E. Baker, Reg. No. 42,285; Scott D. Balderston, Reg. No. 35,436; Carl L. Benson, Reg. No. 38,378; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; Thomas D. Bradshaw, Reg. No. 51,492; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Brian M. Buroker, Reg. No. 39,125; Christopher C. Campbell, Reg. No. 37,291; Katherine S. Chang, Reg. No. 40,544; Robin C. Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No.

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Page 5

51,596; Patrick A. Doody, Reg. No. 35,022; Dinnatia J. Doster, Reg. No. 45,268; Kevin T. Duncan, Reg. No. 41,495; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; Charles F. Hollis, III, Reg. No. 40,650; David M. Huntley, Reg. No. 40,309; Nancy J. Jensen, Reg. No. 45,913; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Steven P. Klocinski, Reg. No. 39,251; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Matthew J. Pryor, Reg. No. 45,278; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Henry C. Su, Reg. No. 37,738; Rodger L. Tate, Reg. No. 27,399; Raphael A. Valencia, Reg. No. 43,216; René Vazquez, Reg. No. 38,647; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

☐ Please remove as power of attorney: Scott D. Balderston, Reg. No. 35,436; Thomas Blasey, Reg. No. 33,475; Bradford Blaise, Reg. No. 47,429; J. Robert Brown, Jr., Reg. No. 45,438; Tyler S. Brown, Reg. No. 36,465; Dinnatia J. Doster, Reg. No. 45,268; Kevin J. Dunleavy, Reg. No. 32,024; David D'Zurilla, Reg. No. 36,776; James G. Gatto, Reg. No. 32,694; George Georgellis, Reg. No. 43,632; David M. Huntley, Reg. No. 40,309; Steven P. Klocinski, Reg. No. 39,251; Jonathan D. Link, Reg. No. 41,548; Charles B. Lobsenz, Reg. No. 37,857; Devin S. Morgan, Reg. No. 45,562; Kerry H. Owens, Reg. No. 37,412; Matthew J. Pryor, Reg. No. 45,278; Stuart I. Smith, Reg. No. 42,159; Henry C. Su, Reg. No. 37,738; Raphael A. Valencia, Reg. No. 43,216; and René Vazquez, Reg. No. 38,647.

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Clark, Reg. No. 40,956; Trevor Q. Coddington, Reg. No. 46,633; Christopher J. Cuneo, Reg. No. 42,450; Ryan S. Davidson, Reg. No. 51,596; Patrick A. Doody, Reg. No. 35,022; Kevin T. Duncan, Reg. No. 41,495; Ozzie A. Farres, Reg. No. 43,606; Nancy J. Flint, Reg. No. 46,704; Christopher J. Forstner, Reg. No. 46,049; Charles F. Hollis, III, Reg. No. 40,650; Nancy J. Jensen, Reg. No. 45,913; David A. Kelly, Reg. No. 53,106; Herbert V. Kerner, Reg. No. 42,721; Robert C. Lampe, III, Reg. No. 51,914; Jeffrey S. Leaning, Reg. No. 51,184; Ryan S. Loveless, Reg. No. 51,970; Tyler Maddry, Reg. No. 40,074; J. Michael Martinez, Reg. No. 37,178; David H. Milligan, Reg. No. 42,893; James R. Miner, Reg. No. 40,444; Bryan F. Moore, Reg. No. 52,044; Jeffrey T. Perez, Reg. No. 52,110; Michael P.F. Phelps, Reg. No. 48,654; John P. Pinkerton, Reg. No. 28,746; Laurence H. Posorske, Reg. No. 34,698; Andrew J. Ririe, Reg. No. 45,597; Stephen T. Schreiner, Reg. No. 43,097; Robert M. Schulman, Reg. No. 31,196; Thomas J. Scott, Jr., Reg. No. 27,836; Yisun Song, Reg. No. 44,487; Shelley L. Spalding, Reg. No. 51,971; Rodger L. Tate, Reg. No. 27,399; Samson Vermont, Reg. No. 42,202; Robert J. Ward, Reg. No. 28,746; and Scott F. Yarnell, Reg. No. 45,245.

21. ☒ A check in the amount of \$ 770.00 is enclosed. In the event any variance exists between the amount enclosed and the Patent Office charges, please charge or credit any such variance to **Deposit Account No. 50-0206**.
- ☐ The U.S. Patent and Trademark Office is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to **Deposit Account No. 50-0206**.

Respectfully submitted,

By: Tyler Maddry
Tyler Maddry
Registration No. 40,074

Enclosures



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FEE TRANSMITTAL MAIL STOP Patent Application		Complete If Known					
		Application No.		TBA			
		Filing Date		12/15/03			
		First Named Inventor		Kevin Thomas FOLEY			
		Examiner Name		Not Assigned			
Group Art Unit		Not Assigned					
Total Amount Of Payment (\$)		770.00		Attorney Docket No.		64118.000045	
METHOD OF PAYMENT (check one)				FEE CALCULATION (continued)			
1. <input type="checkbox"/> The Commissioner for Patents is hereby authorized to charge indicated fees and credit any over payments to Deposit Account No. 50-0206 .				3. ADDITIONAL FEES			
				Fee Description		Fee Paid	
				<input type="checkbox"/> Surcharge - late filing fee or oath		\$	
				<input type="checkbox"/> Surcharge - late provisional filing fee or cover sheet		\$	
				<input type="checkbox"/> _____ Month Extension of Time		\$	
				<input type="checkbox"/> Notice of Appeal		\$	
				<input type="checkbox"/> Filing Brief in Support of Appeal		\$	
				<input type="checkbox"/> Request for Oral Hearing		\$	
				<input type="checkbox"/> Utility Issue Fee (or Reissue) (including Publication Fee, if necessary)		\$	
				<input type="checkbox"/> Design Issue Fee		\$	
				<input type="checkbox"/> Plant Issue Fee		\$	
				<input type="checkbox"/> Petition to Commissioner		\$	
				<input type="checkbox"/> Petition to Revive (Unavoidable)		\$	
				<input type="checkbox"/> Petition to Revive (Unintentional)		\$	
				<input type="checkbox"/> Petitions Related to Provisional Applications		\$	
				<input type="checkbox"/> Submission of Information Disclosure Statement		\$	
				<input type="checkbox"/> Filing Submission After Final Rejection		\$	
				<input type="checkbox"/> Recording Each Patent Assignment Per Property		\$	
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				<input type="checkbox"/> Other (specify) Fee for Provisional Applications		\$	
2. <input checked="" type="checkbox"/> Check Enclosed. The Commissioner for Patents is hereby authorized to charge any variance between the amount enclosed and the Patent Office charges to Deposit Account No. 50-0206 in the name of Hunton & Williams LLP, 1900 K Street, N.W., Suite 1200, Washington, D.C. 20006-1109.							
FEE CALCULATION							
1. BASIC FILING FEE <input checked="" type="checkbox"/> Large Entity <input type="checkbox"/> Small Entity							
				FEE PAID			
Utility Filing Fee				\$ 770.00			
Design Filing Fee				\$			
Plant Filing Fee				\$			
Reissue Filing Fee				\$			
Provisional Filing Fee				\$			
2. EXTRA CLAIMS FEES							
CLAIMS AS AMENDED							
For	Number Present	Highest Number Paid For	Extra	Rate		Amount	
				Large Entity	Small Entity		
TOTAL CLAIMS	8	20	0	x \$ 18.00	x \$ 9.00	\$.00	
INDEPENDENT CLAIMS	3	3	0	x \$ 84.00	x \$ 42.00	\$.00	
MULTIPLE DEPENDENT CLAIMS				\$ 280.00	\$ 140.00	\$.00	
TOTAL EXTRA CLAIMS FEES						\$.00	
SUBMITTED BY						Complete (if applicable)	
Typed or Printed Name		Tyler Maddy			Registration No.		40,074
Signature					Date		December 15, 2003